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MONTANA CONSTITUTIONAL CONVENTION
STATE CAPITOL • HELENA, MONTANA 59601 • TELEPHONE 406/449-3750

LEGISLATIVE COMMITTEE

Place of Meeting: Room 434

Date Meeting Held: 1/27/72
Hour Meeting Held: 1:30 p.m.

Committee Chairman: Magnus Aasheim

MINUTES OF THE NINTH LEGISLATIVE COMMITTEE MEETING

SUBJECT OF MEETING: Committees, Accountability, Bills

Roll Call:

Magnus Aasheim, Chairman	Present
Jerome T. Loendorf, V. Chairman	Present
Grace Bates	Present
Daphne Bugbee	Present
Jerome J. Cate	Present
George Harper	Present
Torrey B. Johnson	Present
Robert Lee Kelleher	Absent
John H. Leuthold	Present
Richard A. Nutting	Present
Arlyne E. Reichert	Present
Mae Nan Robinson	Present
Miles Romney	Present
Carman Skari	Present

INTERESTED PERSONS TESTIFYING:

<u>Name</u>	<u>Occupation or Title</u>
1. Roger Barnaby, Wibaux	Mt. Clerk of Courts Assn.
2. Hardin Todd, Billings	Mt. Clerk of Courts Assn.
3. Dave Holliday	Gen'l Mgr., KBLI, Helena

January 27, 1972

1:30 p.m.

Chairman Aasheim called the meeting to order. After roll call, the minutes were read and approved.

Chairman Aasheim noted that he questioned whether all legislative committee proceedings should be open to the public.

WITNESSES

Roger Barnaby, Wibaux, testified (see copy filed herewith).

Hardin Todd, Billings, testified (see copy filed herewith). Discussion followed. The clerks wanted only the two words in Article V, section 31, stricken, not the entire section. They would like to be elected at the same time as district judges. He was in favor of a salary commission. Todd felt the clerk of court should remain an elected position.

Dave Holliday, KBLI, Helena, testified in behalf of a bicameral system. He complimented the convention and committee on their openness. He was glad to see the convention making use of results of other constitutional conventions. He felt that the checks and balances system were inherent for our system, and this shouldn't be disturbed. Tremendous pressure would be brought to bear by lobbyists if there were a unicameral house. Deadlocks aren't necessarily bad. The legislature has gotten a bad name with the public and press, but they have made more progress than they have been given credit for. A unicameral system will not result in economy necessarily nor will it increase the efficiency of the legislature. The bicameral system is not what is wrong with the legislative system in Montana. It is a lack of space and staff. Progress can be made without changing the system. The biggest problem is lack of public relations. Discussion followed. Holliday felt that there would always be secret meetings. It was a general opinion that if one wanted a bill passed one would want a unicameral system, and if one wanted a bill killed a bicameral system is needed. He felt that the rural vote would be even more disenfranchised in a unicameral system. Checks and balances are needed ~~between~~ ^{within} the branches of government, ~~and not~~ ^{and also} within branches.

Johnson reported on the trip to Great Falls by 4 committee members. Their talk will be televised February 3, 11 p.m., KFBB.

The chairman announced that Dr. Taylor would talk to the sub-committee at 10 a.m., January 29, and meet with the committee at 1:30 p.m.

COMMITTEES #16

Discussion was held whether notice of a hearing should be in the constitution or not. Some felt it would be a protection of the public. It was questioned whether there should be hearings on all bills. A certain number of days would take away a flexible constitution.

It was the feeling of the committee that public notice of some nature should be given. This should be included in the constitution.

*It was the sense of the committee that any vote which changes the status of a bill must be recorded. This should be included in the constitution.

ACCOUNTABILITY

It was discussed whether there should be a section entitled "The People's Rights" in the constitution. ^{deletion article} ~~It was felt this section should be used as an introduction to the other sections.~~ It was felt that the public should have the right to testify at hearings. Power should be given to the people through the use of initiative, referendum, recall, etc., and this should be included in the "People's Rights" section. It was decided that Rich should look into this, and the subject will be brought up at a later date.

BILLS #10

*It was the feeling of the committee that Article V, section 19, be retained in the constitution.

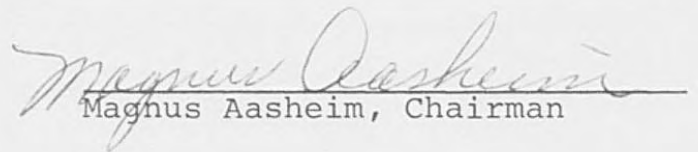
*It was the feeling of the committee that Article V, section 20, be taken out of the constitution.

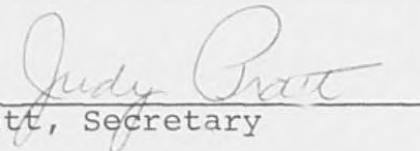
*It was the feeling of the committee that Article V, section 21, be taken out of the constitution.

*It was the feeling of the committee that Article V, section 22, be taken out of the constitution.

*It was the feeling of the committee that Loendorf and Cate should work on section 23, and present a replacement for this section. Rich will help with the revision.

The meeting was adjourned at 5:15 p.m.


Magnus Aasheim, Chairman


Judy Pratt, Secretary